

Exhibit 1

Highly Confidential Jace W. Connor

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re FLINT WATER CASES

Civil Action No. 5:16-cv-10444-JEL-MKM
(consolidated)

Pages 1 - 123

THE VIDEOTAPED DEPOSITION OF JACE W. CONNOR

Taken via Zoom

Commencing at 10:03 a.m.

Tuesday, December 13, 2022

Before Trisha Cameron, RDR, RMR, CRR, RPR, CSR

1 Q. At any point in time, did you make any selections in
2 terms of keywords utilized for that campaign?

3 A. No.

4 Q. At any point in time, were you made aware of any
5 changes to keywords associated with that campaign?

6 A. No.

7 Q. Who was in charge of setting the budget for that
8 campaign?

9 A. I don't know. I think that's where the confusion
10 was. I wasn't there at the time. So I don't know
11 who set it.

12 Q. Sitting here today, do you still have access to that
13 campaign?

14 A. I do. Sole access.

15 Q. So Mr. McFadden no longer has access?

16 A. Correct.

17 Q. Are you aware of at what point in time VNA began
18 utilizing dynamic ads associated with the Google
19 advertisement campaign?

20 A. That account was already configured with both static
21 and dynamic ads when I inherited it.

22 Q. Are you familiar with how dynamic advertisements
23 through Google work?

24 A. I am.

1 Q. Okay. Could you please explain based on your
2 experience how they work.

3 A. Well, there's a couple of options. Which one would
4 you like me to go over?

5 Q. All of them.

6 A. Okay. Well, essentially there's an option for a
7 dynamic ad in which our ad words account is
8 configured where you can predefine variables, such as
9 titles, descriptions, landing page, and it can be a
10 couple of different titles and a couple of different
11 descriptions in the same ad. And the dynamic nature
12 of it is that Google can change those titles and
13 descriptions that you provide based off of relevance
14 to the user's search to make it more relevant to
15 their query. However, there's a lot of -- there's a
16 lot of prerequisites to it in terms of, you know, the
17 ad being approved for run based off that.

18 Another way of doing a dynamic ad is to
19 allow Google, which is very common, when starting
20 accounts is that provide Google with a landing page,
21 have Google index that page. Based off of the
22 content of that page, Google will make
23 recommendations as to how you may or may not want to
24 position that relative to key terms. However, you're

1 still responsible for creating the ad content in
2 terms of title and description. And it goes through
3 the approval process. Google does not make up stuff
4 for you or content for you, and they don't allow you
5 to misalign your content with a destination page.
6 Their goal is to provide the most relevant and
7 authoritative result relative to a user's search.

8 Q. Any other ways besides those two that you just
9 described?

10 A. That's pretty much the two -- those are the two
11 options when you're configuring an ad words account.

12 Q. Are you aware of which or both of those two options
13 VNA undertook when it set up its dynamic
14 advertisement portion of the ad campaign?

15 A. Yeah. Our current configuration is to prefill a
16 dynamic ad with up to two options on title and
17 description and allow Google to determine which title
18 or description is more relevant to the user's
19 specific search based off of the key terms that are
20 being optimized for.

21 Q. And optimization will change on Google's end as
22 content is added or removed or updated on the end of
23 the website, correct?

24 A. No.

1 Q. Okay.

2 MR. STERN: What's that, sir?

3 MR. KRAMER: I said objection. But

4 go ahead.

5 BY MR. STERN:

6 Q. So your testimony is that the updating of content has
7 no bearing whatsoever on the success or failure of a
8 dynamic ads campaign?

9 A. Well, it does in a sense that if you don't have the
10 parity that's required between the ad and the
11 destination content, your ad will be disapproved or
12 suspended.

13 Q. So then can you explain how updating the Veolia Flint
14 Facts website would bear on a dynamic ads campaign
15 run by VNA?

16 MR. KRAMER: Objection. Misstates
17 the testimony. But you can go ahead and
18 explain, if you can.

19 THE WITNESS: It wouldn't unless you
20 went in to modify the parameters of your
21 ad to pair with the content that was
22 modified on the website. A brief example
23 I could give you is that as a byproduct of
24 the website being updated by Reputation

1 Squad, several ads were disallowed on the
2 ad words platform because that destination
3 page, for instance, was no longer
4 reachable because the URL structure was
5 modified. So it requires going into the
6 ad words account and achieving parity
7 between that destination landing page.

8 BY MR. STERN:

9 Q. How did you find out about what you just described in
10 terms of the URL and the lack of compatibility?

11 A. Well, one of my functions is to provide management,
12 maintenance, and reporting. So I'm regularly looking
13 at all of our assets and properties. I get
14 notifications and alerts if something is wrong with
15 one of them. So just in I would say my normal daily
16 activities at some point I recognized and saw that
17 certain ads had been taken offline due to activities
18 of Reputation Squad.

19 Q. Did you track information related to the ad words
20 account about locations where ads were being viewed?

21 A. Did I track?

22 Q. Yeah.

23 A. No, I didn't track. I -- maybe I'm just a little
24 confused about what you're getting at. But, you